

Public comment solicited on Private Land/Public Wildlife Council Draft Recommendations....

The Private Land/Public Wildlife Council is soliciting public comment on 5 draft recommendations related to hunter behavior, hunting access to private land and the Block Management Program, nonresident hunting licenses, and outfitted hunting.

Public comments may be made in writing to: PL/PW Council, FWP – Field Services, PO Box 200601, Helena, MT 59620, or by email to acharles@mt.gov Comments will be accepted through October 15, 2008.

The five draft recommendations appear below on following pages.

#1 Stewardship Landowner-Hunter Program:

Problem Statement: Relationships between landowners and hunters are deteriorating over time, with our Montana hunting cultural heritage suffering as the loss of privileges for access to private land results in reduced quality public hunting opportunities and Fish Wildlife and Park's ability to manage public wildlife through hunting.

Concept:

- Create a voluntary continuing hunter education program;
- Target audience includes all hunters and all landowners;
- Program will be developed, evaluated, endorsed, and modified over time by a working partnership of stakeholders including wildlife/hunter interests, landowners, and FWP, and administered by FWP;
- Program will be delivered through the web or available by home study;
- Program will encourage local efforts to promote positive landowner/hunter relationships;
- Graduates will receive an ID card, and possibly a voluntary personal hunter profile web page;
- Landowner/hunter incentive ideas will be explored to encourage participation;
- Program content could include the historical roles of hunters and landowners in establishing and maintaining wildlife populations, and etiquette and good norms in establishing and maintaining good landowner/hunter relationships;
- Desired outcomes include reduction in problems with hunter behavior that negatively impacts landowners, resulting in more hunters being offered the privilege of hunting on private land through establishment of good landowner/hunter relationships;
- No legislation is required to implement this recommendation.

#2: Modify Block Management License Benefit

Problem Statement: Under current law, Block Management cooperators may only designate immediate family members related by blood to receive a AAA resident Sportsman's License or a B-10 nonresident combination deer/elk license in lieu of the cooperator receiving the license, and the cost of a designated license must be deducted from the landowner's Block Management payment. These restrictions have limited the number of landowners who are interested in this benefit

Concept:

- Propose legislation to delete the mandatory deduction requirement;
- Expand the definition of who can receive the license to include persons related by marriage and ranch employees, as defined by FWP in commission rule;
- The new definition of "immediate family member," defined in FWP Commission Rule, is proposed to be "a person related by blood or marriage who qualifies as a parent or parent-in-law, grandparent or grandparent-in-law, child or child –in-law, or grandchild or grandchild-in-law of the cooperator and spouse and includes legally-adopted children and the cooperator's and spouse's siblings and siblings' children;
- The definition of "ranch employee," defined in FWP Commission Rule, is proposed to be "a person employed by the landowner to perform farm or ranch duties for which a wage is paid, subject to Montana income tax laws;"
- Legislation is required to implement this recommendation.

#3. “Coming Home to Hunt” License Proposal

Problem Statement: Montana’s hunting heritage is promoted by families continuing to hunt together. Many residents of Montana have raised their children in Montana and then watched them move out of state in pursuit of higher financial opportunities. These adult nonresident sons and daughters of Montana residents have a difficult time drawing a license to come home to hunt.

Concept:

- Create a new pool of licenses not to exceed 1,000 Deer/Elk Combination nonresident licenses and 1,000 Deer Combination nonresident licenses. These new licenses would be used by adult nonresident children of Montana resident parents who sponsor their application. To qualify, the adult nonresident child must demonstrate that he or she has previously held a Montana resident hunting license or completed a Montana hunter safety course;
- Licenses would be sold at the same price as a general draw nonresident Deer/Elk Combo or Deer Combo license;
- A drawing for these licenses will be conducted first, with unsuccessful applicants getting a second chance in the general license drawing;
- All of the revenue generated by sales of these licenses will be used to fund hunting access programs;
- NOTE: Documentation could include an old hunting license or hunter safety certificate, or be verified through FWP records;
- Legislation is required to implement this recommendation.

#4. Pilot Program Access Management Area Proposal

Problem Statement: The current Block Management Program may not meet the needs of all current, former, and potential landowner enrollees. There is a need to explore alternative ways to develop local habitat/access private land partnerships by developing and identifying ways to increase and maintain landowner participation in access programs.

Concept:

- Utilize regional Citizen Advisory Committees (CACs) to establish pilot Access Management Area efforts;
- Working within current statutory and administrative rule authority, CACs will develop new approaches for local habitat/access private land partnerships that meet local needs of landowners, hunters, outfitters, and FWP management goals;
- CACs could identify potential enrollees, help determine which lands are enrolled, and suggest how hunting and wildlife on enrolled lands should be managed;
- Enrollees could be eligible for incentive options which reward habitat and access management in ways different from current Block Management payment system;
- Access Management Areas may provide for a shared use between non-guided and guided hunters;
- NOTE: Regional CACs comprised of citizens representing different interests are appointed by the Department for each of the seven FWP administrative regions. The role of the CAC is to provide input to FWP regarding information and the perspective of local citizens on FWP issues, and to help inform other citizens in the region about FWP programs and issues;
- No legislation is required to implement this recommendation.

#5. No Hunting Guide License and Outfitter-Sponsor License in Same Year Proposal

Problem statement: Current Administrative Rule of Montana (ARM) 12.3.125 (which explains what guiding services an outfitter is required to provide for hunters who qualify for outfitter-sponsored licenses) may not be adequate to ensure that the outfitter-sponsored licenses are being used in a manner consistent with the intent of the law that created them. Currently some outfitters are able to get around the ARM rule by having at least one of the hunters in the drop camp obtain a hunting guide's license.

Concept:

- Develop a new Board of Outfitters administrative rule that prevents a person from being issued a Montana Hunting Guide License in the same year that person holds a valid variable-priced outfitter-sponsored B10 or B11 license;
- NOTE: ARMstates that "For the purposes of this statutory requirement, 'guiding services' are provided when an outfitter, or a guide or professional guide employed by the outfitter, has an actual physical presence in the field escorting and directing the clients a majority of the hunting day;"
- No legislation is required to implement this recommendation.